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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,834	10/04/2001	Lawrence A. Loch	P-UW 4979	5445

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EXAMINER

FREDMAN, JEFFREY NORMAN

ART UNIT PAPER NUMBER

1637

DATE MAILED: 01-13-2003

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Please find below and/or attached an Office communication concerning this application or proceeding.



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The communication filed December 4, 2002 is not fully responsive to the Restriction requirement mailed July 23, 2002 because no species election was made, and a species election was required. Applicant argued that no restriction was made in the parent case but each application is examined upon its own merits. Further, that application was filed prior to the guidelines in the MPEP 803.04 which permit a reasonable number of sequences. In the current case, the examiner requests election of a single species for search purposes, and will follow the Markush guidelines.

Since the response appears to be bona fide, but through apparent oversight or inadvertence failed elect the species as required, applicant is required to complete the response within a time limit of one (1) month from the date of this letter. 37 CFR 1.135(c). Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136.


Jeffrey Fredman
Primary Examiner
Art Unit: 1637